IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.41029 of 2008
MD. SATTAR ALI, SON OF NATHU DEWAN.
MD. SARAJUL DEWAN SON OF NATHU DEWAN,
BOTH RESDEENT OF VILLAGE GAHIRI TOLA,
GAMHARIA, P.S. JAGDISHPUR, DIST WEST
CHAMPARAN…….PETITIONERS.
Versus
THE STATE OF BIHAR……OPPOSITE PARTY.
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2. 24.11.08. Heard learned counsel for the petitioners and the State.

The petitioners are accused under Section 392 of the Indian Penal Code. The allegation against them that at the point of pistol they snatched Rs. 14,000/- from the informant and fled away.

It is submitted on behalf of the petitioners that the present F.I.R. has been lodged for ulterior purpose and as such a case has been lodged after a year after the alleged date of occurrence. Besides this, it is submitted that as a matter of fact, the informant who were neighbour and having friendly terms taken a sum of Rs. 50,000/- to facilitate the purchase of land. The amount not being returned which has been insisted by petitioner no. 1. In retaliation the present case has been filed. Notwithstanding the fact that it is submitted that the parties have amicably arrived at a settlement and they have filed a compromise petition in the court below.

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Considering the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioners namely 1. Md. Sattar Ali, 2, Md. Sarajul Dewan shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Bettiah, West Champaran, in

connection with Nautan P.S. Case No. 226 of 2008 arising out of Complaint Case No. 1912 of 2008, subject to the conditions as laid down under Sub Section 2 of Section 438 of Code of Criminal Procedure.

m.p. **(Shailesh Kumar Sinha, J.)**

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